

PROHIBITION ON CERTAIN TRANSFERS OF NATIONAL FOREST LANDS

NOVEMBER 6, 1995.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 924]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 924) to prohibit the Secretary of Agriculture from transferring any national forest system lands in the Angeles National Forest in California out of Federal ownership for use as a solid waste landfill, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 924 is to prohibit the Secretary of Agriculture from transferring any National Forest System lands in the Angeles National Forest in California out of Federal ownership for use as a solid waste landfill.

BACKGROUND AND NEED FOR LEGISLATION

The Angeles National Forest is located in the Los Angeles, California, metropolitan area. It was established as the first forest reserve in California on December 20, 1892. Originally designated as the San Gabriel Timberland Reserve, it was renamed the Angeles National Forest in 1907. The forest consists of 694,187 acres and represents 72 percent of the open space located within Los Angeles County.

The Angeles National Forest is within a two hour drive for more than 20,000,000 Southern Californians. It ranks second in the Nation in recreation use with approximately 32,000,000 visits annually. Approximately 30 percent of the Angeles boundaries are

shared with adjacent municipalities. Forest Service lands are typically viewed as vast, rural areas with limited interior development and facilities. A critical difference in the Angeles is its increasing perception as more of an urban park and recreation area. Since 1990, Forest Service officials have undertaken several projects designed to educate new and long-term Forest visitors about the unique amenities and personal safety measures which need to be considered by the many visitors to the Angeles.

Elsmere Canyon, located at the western edge of the Angeles National Forest, was part of the original 1892 San Gabriel Timberland Reserve. Local residents were concerned about the potential loss of open space, wildlife habitat and watershed area over 100 years ago.

In 1986, the United States Forest Service denied a proposal from the BKK Corporation to develop a landfill in Elsmere Canyon. The Forest Service based the denial on a 1970 Environmental Assessment which referenced unstable geology, riparian destruction, loss of wildlife and potential pollution of the local groundwater supply.

In 1987, the Forest Land and Resources Management Plan was published recognizing that the United States Forest Service might again be approached to site a landfill within the bounds of the Angeles National Forest. Specific standards and guidelines were developed which included a provision that other sites and practical alternatives on non-National Forest land had been exhausted.

In July, 1987, Elsmere Corporation, a wholly owned subsidiary of BKK Corporation, again approached the Angeles National Forest to acquire Elsmere Canyon for use as a landfill. The 2,700 acre Elsmere Canyon Solid Waste Management Facility would include 1,643 acres presently under Forest Service ownership on behalf of the people of the United States. Under the proposal, private in-holdings of the Angeles National Forest would be exchanged for Elsmere Canyon. The Trust for Public Lands was identified as the conduit for obtaining the in-holdings and facilitating the exchange.

The landfill would have a 190,000,000 ton capacity, receiving up to 33,000,000 pounds of garbage daily, with a projected life span of 32-50 years, dependent upon actual disposal rates. The facility would operate six days per week, 24 hours per day, with approximately 1,500 vehicles into the facility each day.

In February 1989, Representative Howard Berman of California introduced H.R. 998 which would have conveyed Federal lands, including Elsmere Canyon, to the City of Los Angeles. The Forest Service, mindful that the Federal legislation provided no assurance of receiving any compensation for Elsmere Canyon, agrees to conduct an environmental study on the feasibility of exchanging Elsmere Canyon for use as a landfill and gaining in-holdings within the Angeles in return.

In 1989, the Angeles National Forest agreed to conduct a joint environmental review of the Elsmere proposal with the County of Los Angeles, Department of Regional Planning. As both Federal public lands and non-Federal private lands are under study, compliance with the California Environmental Quality Act and National Environmental Quality Act and National Environmental Policy Act is required.

In January 1995, a Draft Environmental Impact Report/Environmental Impact Statement was issued for public comment. The United States Forest Service preferred alternative as expressed in the environmental documents is the "No Project (No Action) Alternative."

The Forest Service held three open houses in April and May of 1995 and the Los Angeles County Regional Planning Commission held a public hearing spanning six different days and venues. The meeting in the Santa Clarita Valley was attended by over 3,000 people. The public comment period closed on August 4, 1995. It is anticipated that it will take approximately six months to review and respond to the volumes of comments received relative to the draft environmental document.

COMMITTEE ACTION

H.R. 924 was introduced on February 13, 1995, by Congressman Howard P. "Buck" McKeon. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On September 19, 1995, the Subcommittee held a hearing on H.R. 924, where testimony was heard from several different viewpoints. The Administration testified that they could not support H.R. 924. On October 17, 1995, the Subcommittee met to mark up H.R. 924. No amendments were offered and the bill was ordered favorably reported by voice vote to the Full Committee in the presence of a quorum. On October 25, 1995, the Full Resources Committee met to consider H.R. 924. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Subcommittee on National Parks, Forests and Lands held a hearing on H.R. 924 on September 19, 1995, and the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 924 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 924. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 924 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 924.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 924 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 3, 1995.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 924, a bill to prohibit the Secretary of Agriculture from transferring any national forest system lands in the Angeles National Forest in California out of federal ownership for use as a solid waste landfill, as ordered reported by the House Committee on Resources on October 25, 1995. We estimate that enacting H.R. 924 would have no impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. Enacting the bill would have no direct impact on the budgets of state or local governments.

The bill would require that for any transfers involving Angeles National Forest lands, the Secretary of Agriculture must include a restriction in the conveyance prohibiting the use of the land as a solid waste landfill. The bill is designed to prevent an exchange of private inholdings of the Angeles National Forest for about 1,673 federally owned acres in the Elsmere Canyon (located on the edge of the Angeles National Forest), which has been proposed for the purpose of establishing a landfill for the Los Angeles, California, metropolitan area.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoris V. Heid.

Sincerely,

JUNE E. O'NEILL,
Director.

CHANGES IN EXISTING LAW

If enacted, H.R. 924 would make no changes in existing law.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 924.

